



**Town of Arlington
Zoning Bylaw Review Committee
Report to Town Meeting
April 28, 2008**

Background

The Zoning Bylaw Review Committee (ZBRC) was formed as the result of a 1999 Town Meeting vote *that the Town establish a committee to review the zoning by-law to determine, among other things, if there were sufficient differentiation among the different zones, if size restrictions were appropriate, if sufficient protection was provided to our historic and open spaces, and that the by-law met the requirements of recent regulatory and judicial standards. . . .the committee shall propose and report suggested changes to improve the zoning by-law to subsequent town meetings.*

The ZBRC consists of 10 members—one representative from each of the following; Arlington Redevelopment Board (ARB), the Town of Arlington Department of Planning and Community Development, the Arlington Historical Commission, the business community, and the real estate community, as well as two lawyers and three Town Meeting members—all of whom are appointed by the Town Moderator.

Committee Membership

The ZBRC currently has openings for new members; two vacancies for Town Meeting Members, and one representative from the Real Estate community. If there is any interest in joining, please contact the committee chair Gregory Flaherty at gxflaherty@aol.com.

Activities During the Past Year

- **Signage Bylaw Review:**

The committee thoroughly reviewed Zoning Bylaw Article 7 –Signs based upon clarity, consistency, and looking for any problems or opportunities for improvement. Although there were several areas where the bylaw was difficult, we determined that it did not warrant a reorganization. The bylaw has worked effectively to date. One of the items that came out of the review is addressed in Warrant Article 14- Vehicle Billboards.

- **Accessory Apartments**

The committee spent significant time reviewing the issue of accessory apartments. The issue involved several factors; examples of typical violations, enforceability, potential amnesty, and fire/safety issues. The issue has many complexities and we did not come up with any proposals that would effectively deal with the issue without creating other problems. The issue may be reviewed further in the upcoming year.

- **Review of 2008 Town Warrant Articles**

Article 5: Authorizing Planning Director to have right of Approval for sign permits and adding aesthetic criteria to the approval process.

The committee voted 4 to 2 against this Warrant Article. The primary concern was the addition of aesthetic criteria to the review process that would give too much subjective control to the signage approval process.

Article 6: Neon Signs.

The committee voted unanimously, 6 to 0 for this Warrant Article. We concur with the proponents that as a practical matter, the current state of neon use does not have a detrimental impact on the business districts. An important note is that flashing neon would still be prohibited under this proposed article.

Article 7: Bracket Signs.

The committee voted unanimously, 6 to 0 for this Warrant Article. The committee had no objection to the use of bracket signs that project from the building façade. Allowing the use of this type of signage would be helpful to the local businesses without creating any detrimental impacts. We also understand that “blade signs” will not be included in this article.

Article 8: Temporary Signs.

The committee voted unanimously, 6 to 0 for this Warrant Article. The committee had no objection to the proposed article.

Article 9: Administrative Changes to Sections 6.13 and 7.03.

The committee voted unanimously, 6 to 0 for this Warrant Article. The committee concurs that the administrative changes are proper and do change the substance of the current Zoning Bylaw.

Article 10: Exempting Seasonal Outdoor Seating from Calculation of Required Parking Spaces.

The committee voted unanimously, 6 to 0 for this Warrant Article. The committee concurs that the exemption would be helpful to revitalize the business districts without creating significant problems for the adjacent neighborhoods.

Article 11: Privately Owned Offsite Parking

The committee voted unanimously, 6 to 0 for this Warrant Article. The committee concurs that the proposed article will help alleviate one of the more important challenges faced by local businesses, parking. The article would be helpful to revitalize the business districts without creating significant problems for the adjacent neighborhoods. This change to the bylaw would have protection against misuse by the Environmental Design Review process. It does not create a use ‘by right’.

Article 12: Sustainable Building and Site Design

No vote was taken on this article.

Article 13: Sandwich Boards

The committee understands that the ARB is voting no action on this article. Therefore committee does not need to vote on this article.

Article 14: Vehicle Billboards

The ZBRC is the proponent of this article. The intent is to prohibit the use of vehicles whose sole use is as a parked billboard. It is not intended to restrict signage on commercial trucks or to be enforced as a moving violation. The article would allow local businesses and residences some relief when a billboard on their doorstep. Several other communities have adopted similar language to deal with this type of loophole in the signage bylaws. The committee encourages the Town Meeting to approve this Warrant Article.

Future Activities

The ZBRC will continue to meet on the third Wednesday of each month. We will continue to look at the issues surrounding residential density in the Town. We welcome your comments and suggestions on the activities of the committee and on the Arlington Zoning Bylaw itself.

Respectfully Submitted,

Arlington Zoning Bylaw Review Committee:

Gregory Flaherty, Chair and Town Meeting Member; Curtis Connors, attorney; Anna DeSimone, member at-large (in lieu of the business community designee); Chris Loreti, Town Meeting Member; Joey Glushko, Department of Planning and Community Development; Karen Johnson, Arlington Redevelopment Board designee; John D. Leone, attorney; Eric Stange, Arlington Historical Commission designee.